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RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION

Report of the Secretary-General submitted pursuant to Commission resolution 2000/14

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Introduction

1. In paragraph 73 of its resolution 2000/14, the Commission on Human Rights requested the Secretary-General to submit a report to the Commission at its fifty-seventh session on the implementation of its resolution under the agenda item entitled "Racism, racial discrimination, xenophobia and all forms of discrimination". The present report is submitted pursuant to that resolution.

2. This report makes reference to the specific requests of the Commission in resolution 2000/14, and action taken to date to implement those requests.

I. IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION AND COORDINATION OF ACTIVITIES

3. No specific requests were made to the Secretary-General in Commission resolution 2000/14 regarding the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities. It is to be noted that the secretariat of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, established within the Office of the High Commissioner for Human Rights, was also given responsibility for the implementation of the Programme of Action to ensure a better coordination of activities in preparation for the World Conference. In this regard, it is also to be noted that the Commission, in its previous resolution 1998/26, requested in paragraph 59 "that the activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination be focused towards the preparatory process for the World Conference ..." Further proposals for the implementation of the Programme of Action for the Third Decade, including strategies to ensure adequate funds are available to finance the activities of the Programme, will be considered after the conclusion of the World Conference to take into account the substantive outcomes of the World Conference.

II. SPECIAL RAPPORTEUR ON CONTEMPORARY FORMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

4. Concerning specific requests made in Commission resolution 2000/14 to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, attention is drawn to the most recent report of the Secretary-General transmitting the interim report of the Special Rapporteur to the General Assembly (A/55/304), as well as the report of the Special Rapporteur to the fifty-seventh session of the Commission (E/CN.4/2001/21).

5. In his statement to the first session of the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Special Rapporteur referred to current problems occurring in many parts of the world related to racism, racial discrimination, xenophobia and related intolerance. He referred in particular to the activities of extreme right-wing political parties, racist violence against migrant workers, the

dangers of racist and xenophobic groups gaining political power in certain States, discrimination against the Roma and the expansion of racist hate speech on the Internet. He recommended the adoption of international measures to counter hate speech on the Internet.

6. The Special Rapporteur recommended that an international consultation be organized to discuss these issues. He noted that legal and penal measures exist against racism and intolerance, but suggested that greater economic and social measures need to be implemented to help victims of racism and racial discrimination. He proposed that each State should adopt a national plan to integrate minorities, migrant workers and indigenous populations into their societies, and that these plans should be presented by States to the World Conference. He recommended that economic and social measures against racism should be taken into account in the elaboration of such plans, and that such measures should equally be a part of the discussions at the World Conference.

7. In paragraph 39 of its resolution, the Commission requested the High Commissioner for Human Rights to "undertake research and consultations on the use of Internet for purposes of incitement to racial hatred, racist propaganda and xenophobia, to study ways of promoting international cooperation in this area, and to draw up a programme of human rights education and exchanges over the Internet on experience in the struggle against racism, xenophobia and anti-Semitism." OHCHR has undertaken a number of steps regarding this request. On 20 May 1999, the High Commissioner sent a letter to States and organizations inviting comments and asking for information and views with regard to this subject. The results of these consultations were submitted to the first session of the Preparatory Committee (A/CONF.189/PC.1/5).

8. The expert seminar on remedies available to the victims of racism, racial discrimination, xenophobia and related intolerance, held from 16 to 18 February 2000, had as one of its themes "Racism on the Internet: legal and technical questions" The report of the seminar (A/CONF.189/PC.1/8) contained the conclusions and recommendations of the experts. This meeting followed two previous seminars that OHCHR had held which focused on the question of the Internet and its use for the purpose of incitement to racial hatred and the dissemination of racist propaganda, as well as on ways to promote international cooperation in this area. (See the report of the expert seminar on the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, (E/CN.4/1998/77/Add.2) and the report of the United Nations seminar to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination with particular reference to articles 4 and 6 (E/CN.4/1997/68/Add.1)).

9. OHCHR will submit a report to the second session of the Preparatory Committee on the use of Internet for purposes of incitement to racial hatred, racist propaganda and xenophobia, and on possible ways of promoting international cooperation in this area.

III. INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

10. Regarding the International Convention on the Elimination of All Forms of Racial Discrimination, attention is drawn to the most recent report of the Committee on the Elimination of Racial Discrimination to the General Assembly (A/55/18), which provides information on the International Convention and its application. The Committee also submitted a contribution to the first session of the Preparatory Committee (A/CONF.189/PC.1/12), in which it made recommendations for possible items for the provisional agenda of the World Conference.

IV. WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

11. Paragraph 51 of Commission resolution 2000/14 requests the High Commissioner, in her capacity as Secretary-General of the World Conference, "to continue to intensify the activities already initiated within the framework of the world information campaign with a view to mobilization and support for the objectives of the World Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors." In this regard, it should be noted that the High Commissioner has taken a number of actions.

12. The High Commissioner for Human Rights initiated in August 2000 the Visionary Declaration, entitled "Tolerance and Diversity: A Vision for the 21st Century". This effort was launched in New York on 5 September 2000 during the United Nations Millennium Assembly by President Thabo Mbeki of South Africa. Former South African President Nelson Mandela is the Patron of the Visionary Declaration. The Declaration, which as at 23 January 2001 had been signed by 72 national leaders, has significantly increased public awareness about combating racism and about the World Conference. During the Summit Conference of the Organization of African Unity in August, the United Nations Millennium Summit in September, the European regional conference for the World Conference in October 2000, the regional conference of the Americas in December 2000 and the African regional conference in January 2001, as well as on other appropriate occasions, the High Commissioner has given interviews, issued public statements and conducted meetings at the highest levels to update world leaders and the international community at large on the preparations and processes leading up to the World Conference. Articles by the High Commissioner highlighting the importance of the World Conference were published in five major European newspapers on the occasion of Human Rights Day, which was commemorated on 11 December 2000.

13. Information activities were also undertaken by the Executive Coordinator for the World Conference during his last visit in South Africa through interviews with various print and electronic media. In general, regular press releases on preparatory activities are being issued and briefings for media representatives are being held. Information on the preparations for the World Conference is also regularly provided and updated on the OHCHR-World Conference Web site (www.unhchr.ch).

14. The first issue of the newsletter of the World Conference secretariat, entitled "Durban 2001: United against Racism", was launched by the High Commissioner on 11 December 2000, in commemoration of Human Rights Day. The newsletter intends to provide information about

the preparations undertaken by Governments, non-governmental organizations , civil society, the media and the World Conference secretariat for the World Conference. The newsletter will report on the events held and will include substantive articles on topics relevant to the World Conference and related issues, including preparations and events at the international, regional and national levels. The first issue of the newsletter was sent to all permanent missions, United Nations Development Programme resident representatives and United Nations resident coordinators, United Nations bodies and programmes, national institutions, accredited NGOs and key media sources. It is available in English and French and is also accessible in pdf format on the OHCHR Web site at www.unhchr.ch. The secretariat will publish five more issues of the newsletter as part of the build-up to the World Conference. Starting with the second issue, it will also be available in Spanish.

15. In cooperation with the United Nations Department of Public Information (DPI) several flyers and brochures on the Conference have been prepared and distributed at the regional seminars held in Geneva, Warsaw, Bangkok, Addis Ababa and Santiago de Chile, as well as at regional intergovernmental meetings. Also in preparation is a poster for the World Conference, designed by Tomi Ungerer, a renowned French artist.

16. On 23 October 2000, a special event at the United Nations in New York brought together Goodwill Ambassadors of various United Nations agencies and organizations, including those for the World Conference. Many of the Goodwill Ambassadors have agreed to advance the aims and objectives of the World Conference and the World Conference secretariat will maintain constant contact with them. Mr. Seamus Heaney, a Nobel prize winner for literature from Ireland and one of the seven Goodwill Ambassadors for the World Conference, also informed his colleagues about the World Conference at that time. It is planned to support special events or activities undertaken by the Goodwill Ambassadors in future, as well as others that could help focus public attention on the objectives and themes of the World Conference.

17. An ongoing collaboration with the South African Broadcasting Corporation SABC, Globo of Brazil, CNN and major print and electronic media organizations has been established. Upon the recommendation of OHCHR, DPI has provided scholarships to Globo and SABC to participate in the ongoing World TV Forum in New York, where, again with the collaboration of DPI, activities related to the World Conference are being highlighted. On 7 December 2000 a video conference hosted by international media and the Spanish-speaking television networks was held in Santiago de Chile in which the High Commissioner, the Executive Coordinator of the World Conference secretariat, and a Minister from the Office of the President of South Africa participated. The video conference originated from two main sites: United Nations Headquarters and the headquarters of the Economic Commission for Latin America and the Caribbean (ECLAC) in Santiago. There was access to the Conference from seven other sites: Bogota, Mexico City, Chicago, Geneva, San Francisco and Vienna.

18. Paragraph 55 of Commission resolution 2000/14 called upon the Secretary-General of the Conference "to expedite arrangements for accreditation of non-governmental organizations, including those that are not in consultative status with the Economic and Social Council, in accordance with ... Council resolution 1996/31 of 25 July 1996". The secretariat has worked closely with the Preparatory Committee and the Bureau of that body and as at 23 January 2001,

over 290 NGOs had been accredited either by the Preparatory Committee or the Bureau acting on behalf of the Preparatory Committee, in accordance with the procedures established in Council resolution 1996/31.

19. Paragraph 56 of Commission resolution 2000/14 requested the High Commissioner "to undertake appropriate consultations with non-governmental organizations on the possibility that they might hold a forum before and partly during the World Conference and, insofar as possible, to provide them with technical assistance for that purpose". The World Conference secretariat has had a close working relationship with NGOs since its inception with a view to facilitating their participation in the preparatory process, both in Geneva and in regional preparatory meetings. The secretariat will also facilitate the holding of an NGO Forum in Durban and the participation of NGOs as observers at the World Conference itself. With the assistance of the secretariat, NGOs have been able to raise funds for a number of regional and international meetings to prepare for the Conference. A list of NGO meetings is as follows:

(a) Steering Committee meetings: Warsaw, 15-18 September 2000; San José, 1 and 2 October 2000; Colombo, 22 and 23 October 2000; Dakar, 5 and 6 October 2000;

(b) Forums prior to the regional preparatory meetings: Strasbourg, France, 10 and 11 October 2000; Santiago, 3 and 4 December 2000; Dakar, 20 and 21 January 2001; Tehran, 17 and 18 February 2001;

(c) Networking meetings: Warsaw, 15-18 November 2000; Botswana, 8- 13 January 2001; Amman, 5-8 February 2001; Quito, 13-16 March 2001; Kathmandu, March 2001.

20. Paragraph 59 of Commission resolution 2000/14 requested "the Secretary-General, the United Nations specialized agencies and the regional economic commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference" and stressed that "such assistance should be supplemented by voluntary contributions". OHCHR raised the necessary funds for regional preparatory meetings. It was assisted in particular by the European Commission which contributed 669,839 euros (US$ 579,395) for the regional conference of the Americas (Santiago, 5-7 December 2000); 681,484 euros (US$ 589,468) for the African regional conference (Dakar, 22-24 January 2001) and 769,112 euros (US$ 665,264) for the Asian regional conference, (Tehran, 19-21 February 2001). It is to be noted that the Council of Europe organized and financed the European Conference against Racism, which was held in Strasbourg, France, from 11 to 13 October 2000, which was the regional conference for the European region.

21. Participation at the regional preparatory meetings has been broad based and has included representatives of the Committee on the Elimination of Racial Discrimination and other human rights treaty bodies, several special rapporteurs, representatives of the Sub-Commission on the Promotion and Protection of Human Rights, representatives of national human rights institutions and representatives from the least developed and low-income countries.

22. Paragraph 65 of Commission resolution 2000/14 requested the High Commissioner "to explore ways and means of effective involvement of parliaments through the relevant

international organizations". The Executive Coordinator of the World Conference secretariat participated in the Conference of Presiding Officers of National Parliaments held in New York from 30 August to 1 September 2000. The Executive Coordinator informed participants at the meeting of the High Commissioner's efforts regarding preparations for the World Conference and her Visionary Declaration and explored ways and means of further involving parliaments and parliamentarians in the World Conference. As a follow-up to these efforts, the Secretary-General of the Inter-Parliamentary Union sent a letter to the Presiding Officers of National Parliaments with a view to encouraging parliaments to become actively involved in the preparation, holding and follow-up to the World Conference. The Council of the Inter-Parliamentary Union, at its 104th Conference held in October 2000, also approved the possible holding of a one-day parallel event for members of Parliament attending the World Conference.

23. Paragraph 68 of Commission resolution 2000/14 stressed "the importance of systematically adopting a gender-based approach throughout the preparations for and in the outcome of the World Conference". The High Commissioner has on many occasions reiterated the importance of systematically incorporating a gender-based approach in preparations for the World Conference and at the World Conference itself. How gender and racial discrimination intersect was examined at a seminar of experts for the Asian-Pacific region held in Bangkok from 5 to7 September 2000. In the course of the seminar, the experts discussed the issues of racism and racial discrimination in the context of migration and trafficking with particular reference to women and children. OHCHR and the United Nations Development Fund for Women collaborated with the United Nations Division for the Advancement of Women in organizing an expert group meeting on "Gender and Racial Discrimination" in Zagreb from 21 to 24 November 2000. The results of the meeting are to be made available to the Commission on the Status of Women at its forty-fifth session in March 2001. A copy of the reports of both the Bangkok and Zagreb meetings will be made available to the Preparatory Committee. OHCHR is also preparing a publication on gender and racial discrimination which should be available for distribution prior to the World Conference. It should also be noted that in the organization of regional intergovernmental meetings, the second session of the Preparatory Committee and the World Conference itself, the secretariat has endeavoured to ensure that a representative of the Committee on Elimination of Discrimination against Women has been or will be invited to participate and actively contribute to these meetings.

24. Paragraph 69 of Commission resolution 2000/14 recommended that "the particular situation of children should receive special attention during the preparations for and during the World Conference ...". At the first session of the Preparatory Committee, a study on the effects of racial discrimination on the children of minorities and those of migrant workers in the fields of education, training and employment was submitted (A/CONF.189/PC.1/11). Additionally, the secretariat has endeavoured to ensure that representatives of human rights treaty bodies, including the Committee on the Rights of the Child, participate and actively contribute to the meetings of the Preparatory Committee, the regional intergovernmental meetings and the World Conference itself. To this end, attention is drawn to the submission made by the Committee on the Rights of the Child to the first session of the Preparatory Committee which focused on racism and education (A/CONF.189/PC.1/15).

25. The High Commissioner has emphasized that youth should not only be an important focus of the World Conference, but also actively participate in the World Conference. To this end, she is recommending to all States that they include in their delegations one member under 20. Furthermore, the feasibility of organizing a Youth Forum to link participants with the youth in South Africa and also linking this event with UNICEF is under consideration. The secretariat is planning to issue a publication on youth and racism prior to the World Conference as well as to underscore the role of youth in the fight against racism.